

BILL ANALYSIS

Senate Research Center
80R5224 JLL-F

S.B. 731
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Transportation & Homeland Security
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law describes the exact highway locations where tourist-oriented directional signs can be placed and what types of businesses are authorized to be advertised on these signs.

As proposed, S.B. 731 grants to the Texas Transportation Commission the authority, including rulemaking authority, to prescribe the location and content of these signs. The bill also authorizes attractions that meet certain criteria set forth in the bill to be displayed on these signs and authorizes their use in municipalities with a population of less than 50,000.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Transportation Commission in SECTION 2 (Section 391.092, Transportation Code) and SECTION 4 (Section 391.0935, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 391.001(2), (9), and (12), Transportation Code, to redefine "eligible highway," "major shopping area guide sign," and "specific information logo sign."

SECTION 2. Amends Section 391.092, Transportation Code, by adding Subsections (d) and (e), as follows:

(d) Requires the Texas Transportation Commission (TTC) to adopt rules, in accordance with federal dictates, for determining eligible highways along which specific information logo and major shopping area guide signs may be located. Authorizes TTC to establish different highway eligibility criteria for each type of sign, if permitted by federal dictates.

(e) Requires TTC by rule to establish criteria for determining which sites are acceptable to be identified as an attraction on a specific location logo sign. Sets forth requirements for a commercial establishment to qualify as an attraction.

SECTION 3. Amends Section 391.093(a), Transportation Code, to provide that qualification as an attraction, as determined by TTC under Section 391.092(e), makes a commercial establishment eligible to have its name displayed on a specific information logo sign. Makes conforming changes.

SECTION 4. Amends Sections 391.0935(a), (b), (d), and (f), Transportation Code, as follows:

(a) Provides that the program allowing the erection and maintenance of major shopping area guide signs that TTC is required to establish under this subsection applies to eligible highways, rather than just eligible urban highways.

(b) Requires TTC by rule to establish criteria for determining whether a geographic area contains sufficient retail establishments to be considered a major shopping area, in addition to other requirements of the commission. Entitles a major shopping area to having its name displayed on a guide sign if it meets TTC criteria and is located not farther than three miles from an interchange on an eligible highway. Makes conforming changes.

(d) Makes a conforming change.

(f) Makes a conforming change.

SECTION 5. Amends Sections 391.095(a), and (c), Transportation Code, to make conforming changes.

SECTION 6. Amends Section 391.099(a)(2), Transportation Code, to redefine "eligible highway."

SECTION 7. Repealer: Sections 391.001(3) and (8) (definitions of "eligible urban highway" and "major shopping area"), Transportation Code.

SECTION 8. Effective date: September 1, 2007.